

**LAW OFFICE OF AMY JANE AGNEW, P.C.**

Honorable Loretta A. Preska  
Senior Justice, United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

July 16, 2025

**VIA ECF**

**Re: Status Report – Remaining Allen I Related Cases**

<u>Allah v. Dinello</u> , 23-cv-3286	<u>Alston v. Mueller</u> , 23-cv-3290
<u>Batista-Cruz v. Hammer</u> , 23-cv-3315	<u>Bernard v. Dinello</u> , 23-cv-3323
<u>Crichlow v. Dinello</u> , 23-cv-3386	<u>Diggs v. Acrish</u> , 23-cv-7149
<u>Dunbar v. Hammer</u> , 23-cv-3391	<u>Feola v. Mueller</u> , 23-cv-3393
<u>Frateschi v. Hammer</u> , 23-cv-3394	<u>Hale v. Mueller</u> , 23-cv-3396
<u>Jacks v. Mueller</u> , 23-cv-3288	<u>Jacobs v. Mueller</u> , 23-cv-3606
<u>Lindemann v. Sullivan</u> , 23-cv-6028	<u>Locenitt v. Dinello</u> , 23-cv-3399
<u>Lorandos v. Rosner</u> , 23-cv-7369	<u>Miller v. Hammer</u> , 23-cv-3462
<u>Oleman v. Hammer</u> , 23-cv-3607	<u>Perez v. Dinello</u> , 23-cv-3300
<u>Pine v. Silver</u> , 23-cv-7148	<u>Rhodes v. Silver</u> , 23-cv-9490
<u>Rivera v. Hammer</u> , 23-cv-3700	<u>Rosado v. Mueller</u> , 23-cv-3718
<u>VanGuilder v. Mueller</u> , 23-cv-3398	<u>Wilkerson v. Hammer</u> , 23-cv-3397
<u>Williams v. Dinello</u> , 23-cv-3608	<u>Windley v. Kim</u> , 23-cv-7151

Dear Judge Preska:

As the Court is aware, the parties in the Allen I related cases have been plugging away at settlements and summary judgment briefing.

As an initial matter, the parties respectfully request trial dates for the following Tranche I cases for which summary judgment motions were not filed. Unfortunately, it is very difficult for counsel to progress on settlement discussions until trial dates are looming, though as we have to date, the moment we have a case

settled, we will alert the Court to remove it from the trial calendar. The trial ready cases are:

Frateschi v. Zaki, 23-cv-3394;

Jacks v. Wright, 23-cv-3288;

Jacobs v. Ashong, 23-cv-3606.

In an effort to further streamline briefing and organize it around briefing in Allen I related cases pending in the WDNY and NDNY, as well as the pending trials before this Court, the parties respectfully request some small amendments to the current deadlines and grouping of cases. To be clear, the following calendar includes all the Allen I related cases pending before this Court, except for those cases currently set for trial:

**Tranche I, Group I**

- 1) Allah v. Dinello, et al., 23-cv-3286;
- 2) Bernard v. Dinello, et al., 23-cv-3323;
- 3) Crichlow v. Andola, et al., 23-cv-3386;
- 4) Dunbar v. Ashong, et al., 23-cv-3391;
- 5) Williams v. Karandy, 23-cv-3608.

**Opposition Papers: July 28, 2025**

**Reply Papers: September 10, 2025**

**Tranche I, Groups 2 & 3**

- 1) Locenitt v. Corigliano, et al., 23-cv-3399;
- 2) Oleman v. Hammer, et al., 23-cv-3607;
- 3) Batista-Cruz v. Bentivegna, et al., 23-cv-3315;
- 4) VanGuilder v. Karandy, 23-cv-3398;
- 5) Hale v. Smith, 23-cv-3396.

**Opposition Papers: August 18, 2025**

**Reply Papers: October 3, 2025**

**Tranche I, Group 4**

- 1) Alston v. Acrish, et al., 23-cv-3290;
- 2) Miller v. Hammer, et al., 23-cv-3462;
- 3) Perez v. Salotti, et al., 23-cv-3300;
- 4) Rivera v. Gusman, et al., 23-cv-3700;
- 5) Rosado v. Lee, 23-cv-3718;
- 6) Wilkerson v. Bentivegna, et al., 23-cv-3397.

**Opposition Papers: September 22, 2025**

**Reply Papers: October 20, 2025**

**Tranche IV, Group I**

- 1) Feola v. Gusman, et al., 23-cv-3393;
- 2) Lorandos v. Rosner, et al., 23-cv-7369;
- 3) Pine v. Silver, et al., 23-cv-7148;
- 4) Windley v. Kim, et al., 23-cv-7151

**Moving Papers: February 27, 2025**

**Opposition Papers: April 27, 2025**

**Reply Papers: May 15, 2025**

**Tranche IV, Group II**

- 1) Diggs v. Acrish, 23-cv-7149;
- 2) Rhodes v. Silver, 23-cv-9490;
- 3) Lindemann v. Sullivan-Davachi, 23-cv-6028

**Moving Papers: March 27, 2025**

**Opposition Papers: May 29, 2025**

**Reply Papers: June 26, 2025**

As always, we thank the Court for its continuing courtesy.

Very truly yours,

*/s/ AJ Agnew*

Amy Jane Agnew, Esq.  
*Counsel to Plaintiffs*

*The above briefing schedule is*

SO ORDERED

*Loretta A. Preska*

LORETTA A. PRESKA  
UNITED STATES DISTRICT JUDGE

*July 17, 2025*